

DECLARATION AND POWER OF ATTORNEY

21 OCT 2004

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Asphalt composition

the specification of which ☐ is attached and/or ☒ was filed on April 24, 2003 as United States Application Serial No. _____ or PCT International Application No. PCT/JP03/05290 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT International application(s) designating at least one country other than the United States, listed below and have also identified below, any foreign application(s) for patent or inventor's certificate, or any PCT International application(s) having a filing date before that of the application(s) of which priority is claimed:

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. 119
Japan	2002-122931	April 24, 2002	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Japan	2002-134040	May 9, 2002	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application(s) and the national or PCT International filing date of this application:

Application Number	Date of Filing	Status (Patented, Pending, Abandoned)

I hereby appoint the following attorney and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,599; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,867; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilly, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewis, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; Roger D. Taylor, Reg. No. 28,992; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burguljan, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Dirk D. Thomas, Reg. No. 32,600; Thomas W. Banks, Reg. No. 32,749; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanho Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045; Joann M. Neth, Reg. No. 36,363; Gerson S. Panitch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; and Linda A. Wadler, Reg. No. 33,218; and _____ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005, Telephone No. (202) 408-4000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of First Inventor <u>Shigeo NAKAJIMA</u>	Inventor's Signature <u>Shigeo Nakajima</u>	Date <u>August 20, 2004</u>
Residence <u>Fujisawa-shi, Kanagawa-ken, Japan</u>	Citizenship <u>Japanese</u>	
Post Office Address <u>1-4-35, Tenjincho, Fujisawa-shi, Kanagawa-ken 252-0814 JAPAN</u>		

Listing of Inventors Continued on Page 2 hereof. ☒ Yes ☐ No

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

FHFGD 4/97

BEST AVAILABLE COPY

Listing of Inventors Continued From Page 1 hereof.

Full Name of Second Inventor Toshinori SHIRAKI	Inventor's Signature <i>Toshinori Shiraki</i>	Date <i>August 29 2004</i>
Residence Yamato-shi, Kanagawa-ken, Japan <i>JPX</i>		Citizenship Japanese
Post Office Address 2-16-14, Sakuramori, Yamato-shi, Kanagawa-ken 242-0028 JAPAN		
Full Name of Third Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Fourth Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Fifth Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Sixth Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Seventh Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Eighth Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Ninth Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Tenth Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		

10/512053

Customer No. 22,852

Attorney Docket No.: 02610.0043

DT01 Rec'd PCT Page 1 of 2 21 OCT 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Shigeo NAKAJIMA et al.

Serial No.: Not Yet Assigned

Filed: October 21, 2004

National Stage of International Application No.
PCT/JP03/05290 under 35 U.S.C. 371, for
ASPHALT COMPOSITION

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**LISTING UNDER 37 C.F.R. § 1.32(c)(3) OF TEN OR FEWER ATTORNEYS TO BE
RECOGNIZED BY THE PTO AS BEING OF RECORD**

Pursuant to 37 C.F.R. § 1.32(c)(3) the practitioners named below are selected from the list in the accompanying declaration to have power of attorney in the application.

Name	Registration No.
Arthur S. Garrett	20,338
Robert E. Converse, Jr.	27,432
E. Robert Yoches	30,120
C. Larry O'Rourke	26,014
James K. Hammond	31,964

BEST AVAILABLE COPY

10/512053

Customer No. 22,852

Attorney Docket No.: 02610.0043

DT01 Rec'd PCT/ Page 2 of 2 21 OCT 2004

If there is any fee due in connection with the filing of this statement, please charge
the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 21, 2004

By: 

Arthur S. Garrett
Reg. No. 20,338

ASG/FPD/sci

BEST AVAILABLE COPY